

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 515 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?

2. To be referred to the Reporter or not?

3. Whether Their Lordships wish to see the fair copy of the judgement?

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?

1 to 5 : No

VANA PARBAT

Versus

STATE OF GUJARAT

Appearance:

MRS MADHUBEN SHARMA for Petitioner

MR BD DESAI, ADDL.PUBLIC PROSECUTOR for Respondent No. 1

CORAM : MR.JUSTICE S.D.DAVE

Date of decision: 25/04/96

ORAL JUDGEMENT

Rule. Learned Government Counsel Mr.B.D.Desai waives the service of Rule on behalf of the respondents.

The present petition requires a recognition because, the grievance of the prisoner is that his application for the second furlough is even not accepted by the respondent no.3-the Jail Superintendent. It should be the bounden duty of the Jail Superintendent to accept

and receive the said application. The further obligation on his part would to transmit the papers to the concerned authority so that, the appropriate decision could be taken. In view of this, the present petition is allowed. The respondent no.3 is hereby directed to accept or take from the prisoner his application for the concerned furlough. He is further directed to see that the papers are transmitted to the concerned authority so that, appropriate orders could be passed by the concerned authority. The Rule is made absolute accordingly. Direct service is permitted.
